

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

VALUTA CORPORATION, INC., and
PAYAN'S FUEL CENTER, INC.,

Plaintiffs,

v.

FINANCIAL CRIMES ENFORCEMENT
NETWORK, *et al.*,

Defendants.

Civil Case No. 3:25-cv-191

DECLARATION OF ELIZABETH L. SANZ

I, Elizabeth L. Sanz, being of competent mind, declare as follows:

1. I am a citizen of the United States and over eighteen years of age. I make this statement based on my personal knowledge of the facts set forth below.
2. I am an active member of the State Bar of California in good standing. I am an attorney with the Institute for Justice, which represents Plaintiffs in the above-captioned action, and I submit this declaration in support of Plaintiffs' Motion for a Temporary Restraining Order.
3. All references to "FinCEN" in this declaration are to the Financial Crimes Enforcement Network, an agency of the United States Department of the Treasury.
4. Plaintiffs filed this action on May 30, 2025. That same day, before filing this action, Plaintiffs' counsel emailed Amy Powell, Senior Trial Counsel, Civil Division, U.S. Department of Justice, and Robert Green, Assistant U.S. Attorney, who represent Defendants in *Texas Association for Money Services Businesses (TAMS) v. Bondi*, 5:25-cv-00344-FB (W.D. Texas), to alert them to this action and Plaintiffs' ex parte motion for a temporary restraining order in this

court. Plaintiffs' counsel also called the main line for the U.S. Attorney's office and explained Plaintiffs' intent to file this action and the motion for a temporary restraining order. The person who answered conveyed that she would inform the appropriate division chief. Plaintiffs' counsel will serve the U.S. Attorney's office, and will send the complaint and motion for temporary restraining order by email to Ms. Powell and Mr. Green.

5. Attached as Exhibit A is a true and correct copy of the FinCEN's *Issuance of a Geographic Targeting Order Imposing Additional Recordkeeping and Reporting Requirements on Certain Money Services Businesses Along the Southwest Border*, 90 Fed. Reg. 12106 (Mar. 14, 2025). This is the order that Plaintiffs refer to as the "GTO" or the "Border GTO."

6. Attached as Exhibit B is a true and correct copy of a FinCEN internal memorandum produced by the government in another case challenging the Border GTO. *See Texas Association for Money Services Businesses (TAMSB) v. Bondi*, 5:25-cv-00344-FB (W.D. Texas April 11, 2025) (Doc. No. 11-1).

7. Attached as Exhibit C is a true and correct copy of a blank Currency Transaction Report, authored by FinCEN, which was also produced by the government in *TAMSB v. Bondi*. *See id.* (Doc. No. 11-2).

8. Attached as Exhibit D is a true and correct copy of the Order Granting Plaintiffs' Motion for Preliminary Injunction in *TAMSB v. Bondi*. *See id.* (May 19, 2025) (Doc. No. 59).

9. Attached as Exhibit E is a true and correct copy of the Order Granting Motion for Preliminary Injunction, *Novedades y Servicios, Inc. v. FinCEN*, 3:25-cv-00886 (S.D. Cal. May 21, 2025) (Doc. No. 47).

10. Attached as Exhibit F is a true and correct copy of a visual map-style representation of all zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are

shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

11. Attached as Exhibit G is a true and correct copy of a visual map-style representation of all Texas zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

12. Attached as Exhibit H is a true and correct copy of a visual map-style representation of the El Paso-area zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

13. Attached as Exhibit I is a true and correct copy of a visual map-style representation of the Southeast Texas zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

14. Attached as Exhibit J is a true and correct copy of a visual map-style representation of all California zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

15. Attached as Exhibit K is a true and correct copy of a visual map-style representation of the San Diego-area zip codes that are included in the Border GTO. The Border-GTO-affected zip codes are shaded in orange. This map was prepared by a graphic artist under my direction, using an application that sources information from Google.

16. Attached as Exhibit L is a true and correct copy of the transcript of the May 12,

2025 hearing on Plaintiffs' Motion for Preliminary Injunction in *Texas Association for Money Services Businesses (TAMSB) v. Bondi*, 5:25-cv-00344-FB (W.D. Texas May 14, 2025) (Doc. No. 57).

I declare under penalty of perjury that the foregoing is true and correct.

DATED and SIGNED this 30th day of May, 2025.

/s/ Elizabeth L. Sanz

Elizabeth L. Sanz